

NORTHERN DISTRICT OF TEXAS

FILED

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

SEP - 9 2014

CLERK, U.S. DISTRICT COURT

By _____

Deputy

UNITED STATES OF AMERICA

§

§

VS.

§ NO. 4:14-CR-050-A

§

JESUS ALFONSO CASTILLO, ET AL.

ORDER

After having reviewed the presentence report pertaining to defendant **CHRISTIAN ANTHONY SKALL** ("Skall"), Skall's objections thereto, and the other sentencing items, the court tentatively has concluded that the objections made by Skall to paragraphs 57 and 47 of the presentence report are without merit.

The court notes that the government has filed a motion for downward departure pursuant to USSG § 5K1.1. The court tentatively has reached the following conclusions relative to that motion:

Even if the court is persuaded that Skall provided the assistance described in the government's motion, and even if the court were to conclude that the assistance was substantial assistance to the government in the investigation and/or prosecution of other persons, the court nevertheless would impose a sentence of imprisonment of 240 months, which is the statutory maximum term of imprisonment the court can impose upon the conviction of Skall of the offense charged against him by the

government, to which he pleaded guilty. If the government had charged Skall with his true offense conduct, upon conviction his advisory guideline range of punishment would include a term of imprisonment in the range of 360 months to life and his statutory sentencing range would have authorized a sentence of life imprisonment. By reducing through its charging decision Skall's advisory sentencing exposure from an imprisonment range of 360 months to life and his statutory exposure to life imprisonment to a maximum term of imprisonment of 240 months, the government has already generously rewarded him for the assistance described in the government's motion for downward departure.

The court is calling the foregoing tentative conclusions to the attention of the parties so that they can be taken into account in determining what presentations are to be made at the sentencing hearing.

THE COURT SO ORDERS.

SIGNED September 9, 2014.

JOHN MCBRYDE
United States District Judge